

COMMITTEE:	CABINET
DATE:	30 OCTOBER 2003
SUBJECT:	OBJECTIONS TO TRAFFIC REGULATION ORDER
REPORT OF:	DIRECTOR OF PLANNING, REGENERATION & AMENITIES
Ward(s):	LANGNEY
Purpose:	For Cabinet to determine objections to the proposed Traffic Regulation Order (TRO) for a permanent road closure in Oak Tree Lane, at the junction with Friday Street, following the statutory advertisement process.
Contact:	Dale Foden, Highway Manager, Telephone 01323 415243 or internally on extension 5243.
Recommendations:	Cabinet is recommended to dismiss the objections to the proposal for a permanent road closure in Oak Tree Lane and to advise the Director of Transport and Environment, East Sussex County Council accordingly.

1.0	<u>Background</u>
1.1	TROs are predominantly used to install, amend or remove vehicular restrictions on the highway. Such restrictions include single or double yellow lines, road closures, taxi ranks, and the formation of loading, disabled, ambulance and bus bays.
1.2	Requests for TROs emanate from a number of sources including Borough and County Councillors, residents, traders, businesses and the emergency services. Each request is investigated and prioritised in a process based primarily on the safety of all road users.

1.3	The statutory procedures entail that all TROs are subject to a three-week objection period following advertisement in the local press, that the relevant Order is displayed at each location, and that all Orders with the accompanying reasons are available to view at Council offices. The County Council has stipulated that the objection period is increased to four weeks for all TROs.
1.4	During this four-week period, the Orders can be objected to by any party having a legitimate reason to object. If the objections cannot be dealt with by local highway officers, then the objections must be reported to the Borough's Cabinet.
1.5	The objections contained within this report have not been able to be resolved. Cabinet is now requested to determine the objections. If the objections are dismissed, the proposed restrictions can be sealed by the Highway Authority in accordance with procedures within the Road Traffic Regulation Act 1984.
2.0	<u>Consultations</u>
2.1	The making of TROs is delegated to the Head of Amenities who is required to consult with the appropriate Cabinet Member, Opposition Spokesperson, Local and County Members. As this relates to the proposed TRO, the Head of Amenities followed this procedure, receiving no objections or proposed amendments.
2.2	Statutory consultation was carried out with the following groups: <ol style="list-style-type: none"> 1. Emergency services 2. Motoring organisations 3. Road haulage and freight traders associations 4. Chamber of Commerce 5. Bus companies No objections were received.

2.3	Following the consultation procedures, East Sussex County Council placed an advertisement in the Eastbourne Gazette on the 23 July 2003 stating that any objections to the proposed TRO should be made to the County Council no later than 20 August 2003. Notices were also posted at the location of the proposed road closure.
2.4	Both the County Council and the Highways Group at the Borough Council subsequently received objections to the TRO. All of the objectors were contacted in an attempt to clarify the reasons for the TRO and further, if possible, to reach agreement with the objectors. The objectors were also advised that, should their objections not be resolved, these would be determined by Cabinet. Objectors have been advised of the time and date of the Cabinet meeting.
2.5	A ten signature petition has also been received from a number of the residents in Oak Tree Lane. The petition is in support of the TRO and associated pedestrian refuge.
2.6	Details of the objections and a copy of all correspondence arising from this consultation have been placed in the Members Room, Town Hall, Eastbourne.
3.0	<u>The Traffic Regulation Order</u>
3.1	The proposed TRO for a permanent road closure in Oak Tree Lane, at the junction with Friday Street, has received objections for which it has not been possible to reach agreement with the objectors. The details pertaining to the TRO, including the reasons for the proposals, a plan, details of the objections and the rebuttals, are contained in Appendix 1.

4.0	<u>Summary of the objections and recommendation</u>
4.1	Cabinet is obliged to consider all objections made against the proposed TRO and against those objections to decide whether the Order should be implemented or withdrawn giving reason for its determination.

4.2	<p>The objections are based on the following points:</p> <ul style="list-style-type: none"> i) Buttermere Way and Helvellyn Drive are inadequate to accommodate the displaced traffic that would originally have utilised the junction of Oak Tree Lane and Friday Street. ii) A greater danger to pedestrians in Buttermere Way due to increased traffic flows. iii) No immediate emergency access to Oak Tree Lane. iv) There is no safety problem at the junction of Oak Tree Lane with Friday Street to warrant closure. <p>The rebuttal reasons are contained in Appendix 1.</p>
4.3	Cabinet is recommended to dismiss the objections.
5.0	<u>Human Resource, Environmental, Financial, Youth and Anti-Poverty Implications</u>
5.1	There are no Human Resource, Youth or Anti-Poverty issues that arise from this report.
5.2	There will be no financial implications to the Borough Council whether the TRO is implemented or not.
5.3	There are environmental implications if the TRO is not made. This is in relation to the TRO dealing with pedestrian and vehicular traffic safety matters. If the junction closure does not proceed, then the pedestrian refuge can not be constructed.
5.4	In reaching a decision the Cabinet is asked to be mindful of a liability that could arise should any accidents occur that would have been prevented if the road closure had been in place.
6.0	<u>Summary</u>

6.1	The County Council proposes to make a TRO to promote traffic safety for both vehicular and pedestrian traffic. Prior to doing so the County Council is obliged to consult with various groups and to advertise the TRO in a local newspaper.
6.2	The County Council has received seven objections to the advertised TRO following advertisement of the proposals.

6.3	These objections are considered in this report and the Borough's Cabinet under agreed procedures is asked to dismiss the objections to enable the TRO to be made.
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<p>Norman Kinnish</p> <p>DIRECTOR OF PLANNING, REGENERATION & AMENITIES</p>	
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<p>Background Papers:</p> <p>The Background Papers used in compiling this report were as follows:</p> <p>East Sussex County Council – Road Traffic Regulation Act 1984, The East Sussex (Oak Tree Lane, Eastbourne) (Prohibition of Motor Vehicles) order 2003.</p> <p>Various correspondence arising through consultation between the Eastbourne Highways Group, ESCC Legal Section and objectors.</p> <p>To inspect or obtain copies of background papers please refer to the contact officer listed above.</p>	
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APPENDIX 1

OAK TREE LANE

DESCRIPTION OF RESTRICTIONS

See attached plan.

Proposed road closure at the south west end of Oak Tree Lane at the junction with Friday Street.

REASON FOR RESTRICTIONS

Recent residential development has increased the number of vehicle movements at the junction of Oak Tree Lane and Friday Street. The junction is located near the brow of a hill where the vertical alignment of Friday Street restricts the forward visibility for motorists.

The B2104 Friday Street is a de-restricted classified road with a 40 mph speed limit. It has been considered by the Highway Authority that the visibility at the Oak Tree Lane junction is inadequate to accommodate the additional number of vehicle movements generated by the recent residential developments.

The Police accident records for the junction of Oak Tree Lane and Friday Street indicate that there has been one fatal and two serious injury accidents involving pedestrians and vehicles. In addition, Police records indicate a further three damage only accidents to vehicles of the “rear-end shunt” type. The accident record for the junction of Helvellyn Drive and Friday Street indicates one serious and two slight injury accidents although none of these accidents involved pedestrians. It should be noted that the damage only accidents can only be regarded as indicative as there is no legal requirement to report damage only vehicle accidents to the Police.

Therefore it is proposed to close permanently the junction of Oak Tree Lane and Friday Street to motor vehicles although pedestrian access will be maintained. In addition, it is proposed to install a number of collapsible bollards in order to permit emergency vehicle access through the closed junction into and out of Oak Tree Lane from Friday Street.

Accesses to the residences in Oak Tree Lane will be maintained via Helvellyn Drive and Buttermere Way. The junction of Helvellyn Drive and Friday Street, which is approximately 100 metres north of the Oak Tree Lane junction, has been constructed to accommodate the 40 mph speed limit on Friday Street and provides for significantly improved visibility compared to the junction with Oak Tree Lane. Friday Street has also been widened at the junction with Helvellyn Drive to permit a right-turn lane for northbound traffic turning into Helvellyn Drive.

The width of Friday Street at the Oak Tree Lane junction precludes the provision of a similar right-turn lane. Consequently, northbound vehicles may be required to stop in Friday Street before turning into Oak Tree Lane across the path of oncoming vehicles. This significantly increases the possibility of “rear-end shunt” type accidents.

Oak Tree Lane meets Friday Street at a right angle with very poor visibility. There is no deceleration lane for southbound traffic on Friday Street turning into Oak Tree Lane. Vehicles making this manoeuvre are required to negotiate the junction at very slow speeds with the associated potential for “rear-end shunt” type accidents. The Police accident records indicate that this type of accident does occur. Helvellyn Drive has improved visibility splays and vehicles are able to negotiate the junction in comparative safety.

The Highway Authority recognised the above hazards during the planning process for the Swallows Nest development site in Oak Tree Lane. As part of the planning approval process, a Section 106 Agreement under Planning legislation between the developer and the Highway Authority secured the costs for the road closure of Oak Tree Lane. In addition, the developer is also providing for the relocation of the existing bus stop and the provision of a pedestrian refuge in Friday Street, which has the benefit of providing a safe route to the nearby schools. In addition, the refuge provides a safe route for children accessing the play area in Oak Tree Lane from residential areas west of Friday Street.

DETAILS OF OBJECTIONS / REBUTTALS

OBJECTION	REBUTTAL
<p>Resident of Buttermere Way</p> <p>1. Less traffic on Friday Street since opening of A22 Golden Jubilee Way. Therefore less potential for accidents.</p>	<p>1. Reduction in traffic volume leads to an increase in average traffic speeds. Therefore, even more reason for removal of hazardous junction.</p> <p>2. Queuing is not the issue. Vehicles turning right into Oak Tree Lane are generally stationary for periods of time due to southbound flows on Friday Street. The</p>

13. Ban right turns into Oak Tree Lane from Friday Street.

Resident of Langdale Close

14. Increased traffic flows in Buttermere Way.

15. Many children play in Buttermere Way.

16. One-way system in Oak Tree Lane exiting onto Friday Street.

Resident of Langdale Close

17. No immediate emergency access to Oak Tree Lane and adjacent roads.

18. Farm requires good access from Friday Street. Limited if Oak Tree Lane direct access closed.

19. Buttermere Way and Helvellyn Drive not adequate for increased traffic flows.

Resident of Langdale Close

20. Buttermere Way and Helvellyn Drive not adequate for increased traffic flows.

21. No immediate emergency access to Oak Tree Lane and adjacent roads.

22. Reduced traffic flows in Friday Street means less potential for accidents.

23. Consider Helvellyn Drive/Friday Street junction more dangerous than Oak Tree Lane/Friday Street.

Resident of Helvellyn Drive

24. Helvellyn Drive inadequate to accept displaced traffic from Oak Tree Lane.

12. As item 3. above.

13. Banned turning movement would require physical traffic island. Inadequate road width.

14. As item 3. above.

15. Actively discouraged with advice on suitable alternative in Oak Tree Lane.

16. Would not permit pedestrian refuge to be built.

17. As item 7. above.

18. Oak Tree Lane geometry less than standard for "feeder" road. Helvellyn Drive and Buttermere Way designed to appropriate standards.

19. As item 3. above.

20. As item 3. above.

21. As item 7. above.

22. As item 1. above.

23. Not borne out by accident statistics and as item 10. Above.

24. As item 3. above.

SUMMARY

The objections are primarily based on four points:

1. Buttermere Way and Helvellyn Drive are inadequate to accommodate the displaced traffic that would originally have utilised the junction of Oak Tree Lane and Friday Street.
2. A greater danger to pedestrians in Buttermere Way due to increased traffic flows.
3. No immediate emergency access to Oak Tree Lane.
4. There is no safety problem at the junction of Oak Tree Lane with Friday Street to warrant closure.

The proposed TRO is intended to address a documented pedestrian and vehicle accident problem and to improve pedestrian safety, predominantly for children, by providing a safe crossing point in Friday Street. An additional benefit of the pedestrian refuge is as a physical traffic calming feature.

Buttermere Way and Helvellyn Drive are built to current highway standards in accordance with the criteria applicable for the number of properties served by these roads. Oak Tree Lane is sub-standard in accordance with the relevant criteria.

Emergency access will be maintained at the closed junction by the use of collapsible bollards.

It is recommended that Cabinet dismiss the objections to the TRO.